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Report of the Bureau on complementarity

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I. Background and mandates

1. On 15 January 2025, the Bureau adopted the allocation of mandates arising from the twenty-third session of the Assembly, including the *ad country* mandates for the topic of complementarity based in The Hague. On 25 February, after a silence procedure by the Bureau for the appointment of mandate-holders, Australia and Uganda were re-appointed as *ad-country* focal points.

(a) General mandates

2. At the twenty-third session of the Assembly in 2024, States Parties resolved to continue to strengthen, within the appropriate fora, effective domestic implementation of the Rome Statute, to enhance the capacity of national jurisdictions to prosecute the perpetrators of the most serious crimes of international concern in accordance with recognized fair trial standards, pursuant to the principle of complementarity.¹

3. The Bureau was requested to “remain seized of this issue and to continue the dialogue with the Court and other stakeholders on complementarity, including on complementarity-related capacity-building activities by the international community to assist national jurisdictions, on possible situation-specific completion strategies of the Court and the role of partnerships with national authorities and other actors in this regard, and also including to assist on issues such as witness and victims protection and sexual and gender-based crimes”.²

4. The Secretariat of the Assembly of States Parties (“the Secretariat”) was requested to, within existing resources, continue to develop its efforts in facilitating the exchange of information between the Court, States Parties and other stakeholders, including international organizations and civil society, aimed at strengthening domestic jurisdictions, and to invite States to submit information on their capacity needs for the consideration of States and other actors in a position to provide assistance, and to report on the practical steps taken in this regard to the twenty-fourth session of the Assembly.³

5. States, international and regional organizations, and civil society were encouraged to submit to the Secretariat information on their complementarity-related activities.⁴

6. The Court, while recalling its limited role in strengthening national jurisdictions, was encouraged to continue its efforts in the field of complementarity, including through exchange of information between the Court and other relevant actors.⁵

7. Annex I to this report records contributions on complementarity-related activities of the President of the Assembly of States Parties, the Secretariat, the Court, and the international community more broadly. The subsequent parts of this report reflect the work of the focal points on the topic of complementarity.

(b) Gender-based crimes

8. At its twenty-third session, the Assembly recognised “the importance of achieving accountability for all Rome Statute crimes while recalling that there is no hierarchy between them” and encouraged the Bureau “to engage with interested States Parties and other relevant actors to identify ways to support Court efforts in this regard with respect to gender-based crimes that amount to Rome Statute crimes, with a view to reporting thereon to the twenty-fourth session of the Assembly”.⁶

9. On 25 February 2025, the Bureau re-assigned this mandate to Australia and Uganda as *ad country* focal points for the topic of complementarity on the basis that their general mandate also extended to assisting “on issues such as ... gender-based crimes”, as it had since 2021.

¹ ICC-ASP/23/Res.1, para 134.

² ICC-ASP/23/Res.1, annex I, para. 13(a).

³ ICC-ASP/23/Res.1 annex I, para. 13(b).

⁴ ICC-ASP/23/Res.1, para. 140.

⁵ ICC-ASP/23/Res.1, para. 141.

⁶ ICC-ASP/23/Res.1, para. 65.

II. Organization of work

10. As noted in their “2025 programme of work” on complementarity⁷ presented at the meeting of the facilitation on 29 September, the focal points (Australia and Uganda) suggested four streams of work:

- (a) Complementarity dialogue – including on complementarity-related capacity-building activities by the international community to assist national jurisdictions, including on issues such as witness and victims’ protection and sexual and gender-based crimes.
- (b) Gender Based Crimes dialogue – including by identifying ways to support the Court with respect to gender-based crimes that amount to Rome Statute crimes.
- (c) Review of the Complementarity facilitation – including identifying ways to ensure the work of the facilitation remains effective and streamlined within the Hague Working Group.
- (d) Complementarity Platform (led by the Secretariat) – facilitate the exchange of information and capacity building needs.

III. Summary of meetings

11. To facilitate the work set out above, the focal points held a meeting on 29 September 2025. The focal points presented on the 2025 draft programme of work and the Complementarity platform, and the facilitation received updates from the ICC Office of the Prosecutor’s (OTP) Complementarity and Civil Society (CCS) team on their activities including situation-specific completion strategies, as well as from the OTP Gender and Children Unit on the implementation of the Gender Based Crimes (GBC) policy. They highlighted the OTP’s strategic approach to fostering national accountability through tailored engagement, direct support, and innovative use of technology.

12. It was highlighted that the OTP’s Policy on Complementarity and Cooperation, adopted in April 2024, applies across all situations and stages of work. It emphasizes stakeholder-informed engagement that responds to the specific needs of national jurisdictions. The policy promotes proactive support through technical assistance, information sharing, and capacity-building initiatives, with technology serving as a key enabler of two-way cooperation. To operationalize these efforts, the OTP established the Complementarity Trust Fund in April 2024. With €715,000 received to date, the fund has supported stand-alone initiatives such as capacity reinforcement for Congolese magistrates and training for the Special Criminal Court of the Central African Republic. It also underpins dynamic programs in Ukraine and Colombia, including forensic missions, technical assistance, and in-country staffing. The OTP reported a steady increase in incoming requests for assistance, particularly under Article 93(10) of the Rome Statute. These requests are managed centrally by the External Affairs Unit and span a range of support types, including interviews, information provision, and situational awareness.

13. Complementarity activities were presented across a range of country situations, reflecting the OTP’s commitment to supporting both international and domestic accountability processes. In Ukraine, the OTP operates through its Kyiv field office and the Ukraine Dialogue Group to facilitate cooperation and evidence-sharing with national authorities. In Darfur, Sudan, the OTP has established a strategic partnership with the UN Fact-Finding Mission and contributed to evidence documentation and gender-focused outreach initiatives. In Libya, the OTP provides technical assistance for investigations into enforced disappearances, supports the authentication of video evidence, and collaborates on proceedings related to migrant issues. For completed situations, the OTP continues to monitor developments and maintain engagement. In Guinea, the OTP has raised concerns over a presidential pardon that may undermine victims’ confidence in the accountability process. In Colombia, the OTP has formalized cooperation with the Special Jurisdiction for Peace through a joint workplan, complemented by workshops and missions that support macro cases and the monitoring of initial

⁷ ICC-ASP/23/24, para 12.

sentences. The OTP concluded with a reaffirmation of the OTP's commitment to complementarity as a cornerstone of its prosecutorial strategy, ensuring that justice is pursued both internationally and through empowered national systems.

14. The presentation of the OTP Gender and Children Unit on the implementation of the Gender Based Crimes policy highlighted the OTP's strategic focus on GBC, crimes against and affecting children (CAAC), and slavery crimes (SC), including gender-based persecution. OTP reflected on a renewed institutional commitment to prioritizing the aforementioned crimes through a comprehensive policy framework and specialized initiatives, mentioning that between 2022 and 2024, the OTP adopted four critical policies that underpin a survivor-centred, trauma-informed, and intersectional approach, emphasizing contextual understanding, myth correction, and strengthened cooperation under the principle of complementarity, which are: policy paper on the crime of gender-based persecution (2022), policy on gender-based crimes (2023), general policy document on children (2023), and the policy on slavery crimes (2024).

15. A key element of the OTP's strategy is strengthening capacity building and the mainstreaming of gender and child competence across staff training programmes. This has been translated to the fact that, between 2024 and 2025, the OTP has included baseline and specialized training modules for staff, lawyers, and psychosocial experts, such as child forensic interview techniques. These efforts aim to institutionalize expertise within the OTP to ensure that investigations and prosecutions are sensitive to the experiences of survivors and children, aligning practice with the Office's policy commitments, demonstrating tangible applications of these approaches in ongoing cases. Examples of the latter include the issuance of arrest warrants in Afghanistan and Libya for gender persecution, the inclusion of slavery and persecution charges in the Kony case, and the prosecution of crimes involving children born into enslavement. Upcoming and ongoing proceedings, such as Al Hassan, Abd-Al-Rahman (Ali Kushayb), and Said, demonstrate the operationalization of policy into practice.

16. The Secretariat of the Assembly of States Parties (ASP) presented the Complementarity Platform and the Secretariat's role within the facilitation. It was noted that the platform stems from the mandate given to the Secretariat at the 2010 Review Conference (resolution RC/Res.1), which recognized the importance of States assisting one another in strengthening domestic capacity to investigate and prosecute serious international crimes. Since then, the Secretariat has annually been tasked with facilitating information exchange among the Court, States Parties, and other stakeholders to support national jurisdictions. Since 2011, the Secretariat has served as a liaison between States Parties and actors capable of providing capacity-building support in areas such as implementing legislation, Court management, victim protection, and expertise in GBC. To enhance this role, the Complementarity Platform was launched in September 2018 in collaboration with the country focal points and relevant Court officials. Hosted on the ASP webpage and available in both working languages of the Court, the platform enables States to request assistance and be connected with potential technical assistance providers. While the Secretariat does not directly provide support, it facilitates connections between requesting States and relevant actors, including NGOs, IGOs, and other States.

17. Furthermore, it was noted that the platform includes a template form for States to specify their needs and currently lists 28 actors engaged in capacity-building initiatives. Although the number of annual requests remains limited, the steady growth in national implementation of Rome Statute crimes reflects significant progress. By 2019, approximately 74 of 123 States Parties had incorporated Rome Statute crimes into their national legislation, a number that continues to rise. This progress is further demonstrated by national prosecutions in countries such as Argentina, Germany, France, and through institutions like the Special Criminal Court in the Central African Republic.

(a) Other Activities

18. In the margins of the Assembly of States Parties in The Hague in 2023, Australia, as co-facilitator co-sponsored a side event on the launch of the Gender Justice Practitioner's Hub and an event on "The Gender Persecution Principles: Increasing prevention and ensuring the protection and participation of survivors". Australia also sponsored the Gender Justice & International Criminal Law Conference in The Hague in September 2025 to support further engagement on accountability for GBC.

IV. General findings

19. The Rome Statute creates a system of criminal justice designed to ensure that there is no impunity for the most serious crimes of concern to the international community as a whole due to the unwillingness or inability of States themselves to investigate or prosecute the perpetrators of these crimes. This system is based on the principle of complementarity as enshrined in the Statute, which means that the Court will intervene only when States are unwilling or unable to genuinely carry out the investigation or prosecution of these crimes.

20. It is generally understood by States Parties, the Court and other stakeholders that international cooperation, in particular through rule of law development programmes aimed at enabling domestic jurisdictions to address war crimes, crimes against humanity and genocide, may contribute to the fight against impunity for such crimes. Such cooperation has been described as “positive complementarity”, “dynamic complementarity” or complementarity activities. National ownership is essential to ensure the success of such activities. The OTP, through the work of the CCS, guided by the OTP’s Policy on Complementarity and Cooperation, and funded by the Complementarity Trust Fund, has advanced the work of the OTP in supporting complementarity activities as described above.

21. In light of consultations held this year, the focal points are of the view that it is important to continue discussions on the principle of complementarity, including on the relationship between national jurisdictions and the Court, the Court’s jurisprudence with respect to complementarity, and the implementation of OTP’s Policy on Complementarity and Cooperation.

22. On the issue of GBC that amount to Rome Statute crimes, the focal points are of the view that the consultations held this year have revealed that there would be value in ongoing consultations in 2026 to engage interested States Parties and other relevant actors to identify ways to support Court’s efforts in this regard, including with respect to implementation of the OTP Policy on Gender-based Crimes.⁸ The focal points also note that in light of consultations this year, it is important to continue discussions between national authorities and the Court with respect to supporting exchange of information and best practices in the prosecution of GBC.

V. Conclusion and recommendations

23. The above, as well as contributions on complementarity from other stakeholders set out in Annex I, highlights the importance of continued efforts, within the appropriate fora, in strengthening national capacity for investigating and prosecuting Rome Statute crimes, bearing in mind the limited contributions that can be made by the Assembly and its Secretariat, as well as the Court itself in that regard. Ensuring that national judicial systems can deal with the most serious crimes of concern to the international community is vital for making the Rome Statute system work, ending impunity for these crimes and preventing their reoccurrence.

24. There is also support for the Bureau to continue to engage interested States Parties and other relevant actors to identify ways to support Court efforts with respect to GBC that amount to Rome Statute crimes.

25. In that context it is recommended that the Assembly adopt the draft provisions on complementarity contained in Annex II to this report.

⁸ See: <https://www.icc-cpi.int/iccdocs/otp/OTP-Policy-Paper-on-Sexual-and-Gender-Based-Crimes--June-2014.pdf>.

Annex I

Contributions from complementarity stakeholders

I. The President of the Assembly of States Parties

The following information and views in this Part I were provided by the Secretariat of the Assembly of States Parties on behalf of the President of the Assembly, Ms. Päivi Kaukoranta.

1 The Assembly of States Parties is the custodian of the Rome Statute system. While the Assembly itself has a very limited role in strengthening the capacity of domestic jurisdictions to investigate and prosecute serious international crimes, it is a key forum for matters of international criminal justice. Combating impunity at both the national and the international levels for the most serious crimes of concern to the international community as a whole is the core objective of the Statute.

2 In her role as President of the Assembly, Ms. Päivi Kaukoranta participated in the welcoming ceremony for Ukraine on 17 July 2025 at the International Criminal Court. She emphasized that the ratification of the Rome Statute was another important step in the pursuit of universality of the Statute and urged Ukraine to fully incorporate it into its national legislation, highlighting the importance of cooperation between States. The President also continued to highlight the role of complementarity at meetings held during her visits to New York, including International Law Week in the latter part of October 2025.

3 In the context of bilateral relations, the President of the Assembly held meetings with United Nations officials, Foreign Ministers, Heads of Missions, representatives of civil society organizations, bar associations, academic institutions, and the media. During these meetings, the President emphasized that the Court operates in complement to national jurisdictions, in full accordance with the principles and values established in the Rome Statute.

4 In her interactions the President of the Assembly has consistently advocated for and raised awareness of the principle of complementarity, stressing that a deeper understanding of the complementary nature of the jurisdiction of the Court could enhance its acceptance and result in an increase in the number of States Parties, ultimately contributing to another key element, universality.

5 The Vice-President of the Assembly, Ambassador Margareta Kassangana (Poland), represented the Presidency of the Assembly in a follow-up retreat entitled “Review of the Kampala Amendments on the Crime of Aggression: Perspective of African States Parties to the ICC” from 19 to 21 May 2025 in Accra, Ghana, with senior officials from African Governments, delivering a statement in the opening ceremony.

II. The Secretariat of the Assembly of States Parties

The following information and views in this Part II were provided by the Secretariat of the Assembly of States Parties.

6 The Secretariat has continued to carry out its outreach, information-sharing and facilitating function. Consistent with past practice and when appropriate, the Secretariat has coordinated with the focal points in carrying out these activities via the “Complementarity Platform for technical assistance”, which aims at facilitating links between States Parties requesting technical assistance, the Court, and actors in a position to assist national jurisdictions in their efforts to strengthen capacity to investigate or prosecute Rome Statute crimes. This Platform is designed for States Parties to indicate their technical legal assistance needs. Once the Secretariat receives a request, it coordinates with the Court as well as possible capacity building providers.

7 On June 13, 2025, the Secretariat issued a note verbale inviting States Parties to specify their needs for technical legal assistance by completing the Complementarity Platform. Upon receiving a request, the Secretariat coordinates with the requesting State and shares pertinent information with organizations that may be able to assist. As of

October 24, 2025, the Secretariat had not received any official requests for technical assistance from States Parties in 2025.

8 States Parties are encouraged to view the Platform as an important step in the State-driven process of complementarity, and where relevant, to assess their capacity-building needs at the national level, and to respond to the questionnaire contained in the Platform. The objectives of the facilitation and the Platform can only be achieved through the active participation by a greater number of States. States Parties are encouraged to complete the Platform and submit via email to: asp@icc-cpi.int.¹

9 Given that this function has been established within existing resources, there are limits to what can be achieved. The Secretariat will continue to facilitate the exchange of information between relevant States and stakeholders through liaising directly with them and via its complementarity platform.

III. The Court

The following information and views in this Part III were provided by the Court.

10 The Court and its different organs seek to contribute, where appropriate, to processes and activities which may serve to enhance the effectiveness of national jurisdictions to genuinely investigate and prosecute the most serious crimes of international concern, in line with the complementarity principle set out in the preamble of the Statute and the objectives formulated in the organs' strategic plans for 2023-2025. The Office of the Prosecutor, in particular, has continued to prioritise an integrated approach to complementarity in 2025, supporting national authorities in situation countries, third states, accountability mechanisms, civil society organisations, victims and survivors of core international crimes and other stakeholders as appropriate, to advance cooperation and complementarity efforts in support of national accountability processes for core international crimes while further strengthening its ability to effectively discharge its mandate to investigate and prosecute Rome Statute crimes.

11 The Office's Policy on Complementarity and Cooperation, launched in April 2024, has now moved to the stage of full implementation, being applied across situations, with regard to their very own specificities, and at all stages of work. The Office has adopted a progressive and integrated approach to complementarity in relation to ongoing situations, including as part of completion strategies following the closure of preliminary examinations and the completion of investigation phase in relevant situations, and in response to requests for support of national judicial processes, guided by the principles of this policy.² The Office has sustained and, in some instances, expanded its complementarity engagement with State authorities and judicial actors working on accountability, ensuring that national proceedings are not only acknowledged but are actively supported through technical assistance, information sharing, and capacity-building initiatives, consistent with the Statute's framework. In this regard, the Office has directly provided support to national investigations and prosecutions in various situations, including but not limited to the national accountability processes addressing crimes committed in Ukraine, Sudan, Democratic Republic of the Congo, Guinea, and Colombia. The Office views these activities as having an important, mutually reinforcing relationship with its core investigative and prosecutorial mandate.

12 In delivering on this vision, the Office of the Prosecutor has maintained proactive engagements with States, international and regional organisations ensuring its efforts align with the broader international justice framework, while fostering strong collaborations with civil society, international fact-finding missions, and national prosecution offices. These tailored, situation-specific approaches have reinforced the ability of domestic systems to complement international justice efforts, including with respect to the investigation and prosecution of gender-based crimes and crimes against and affecting children, key areas of concern under the Office's renewed thematic policy strategy.

13 Consistent with its reinvigorated policy commitments and approaches to its work on gender-based crimes, crimes against and affecting children and slavery crimes, the Office

¹ For further information on the Complementarity Platform see: <https://asp.icc-cpi.int/complementarity/Platform>.

² See at: <https://www.icc-cpi.int/news/policy-complementarity-and-cooperation-2024>.

of the Prosecutor has begun the integration of this work into its complementarity framework, exemplified by the work of the Office's Gender and Children Unit, which supports the implementation of the 2022 policy on gender persecution, the 2023 policy on gender-based crimes, the 2023 policy on children and the 2024 policy on slavery crimes. Notably, the Office of the Prosecutor delivered critical technical support to and built strategic partnerships with national authorities and regional civil society organisations to strengthen documentation and accountability efforts for these crimes. The Office of the Prosecutor follows a cohesive multi-pronged strategy to implement its new thematic policies, through following survivor-centred and trauma-informed methodologies, implementing operational tools including training resources, and pursuing strategic litigation and rigorous internal reviews to ensure policy application in live cases. The Office is working towards a sustainable mainstreaming strategy in these fields. The Office of the Prosecutor's work on these issues is further strengthened through its ongoing participation in international forums, where it shares insights on accountability in the four thematic areas, including gender-based crimes. The Office also keenly follows significant national developments in these priority areas and engages with national experts, so as to inform its own practice, where appropriate.

14 The Office of the Prosecutor's support to Colombia's Special Jurisdiction for Peace illustrates the integration of gender-focused strategies into national justice mechanisms, contributing to the investigation and prosecution of gender-based crimes. These efforts, bolstered by external partnerships, continue to enhance synergies between international and national actors in delivering justice for survivors of gender-based crimes. Many of these activities have been made possible by the Trust Fund on Advanced Technology and Specialised Activities (GBC and CAAC) and in the case of Colombia are now also being supported through contributions to the OTP Trust Fund on Complementarity.

15 A significant part of the Office of the Prosecutor's activities in support of accountability processes during 2025 included strengthening its relationship with civil society, in particular with local organisations, victims and affected communities. To this end, the Office established a structured space for regular exchange and reflection, realised through the establishment of an OTP-CSO Structured Dialogue, where the Office and civil society organisations can address matters relating to the implementation of the Policy on Complementarity and Cooperation and more broadly to other themes or topics of engagement between the Office of the Prosecutor and CSOs, survivors and victims' groups. In addition, the Office has delivered regional briefings for the purpose of disseminating the Guidelines for CSOs on Documenting International Crimes and Human Rights Violations for Accountability Purposes, established jointly with Eurojust, the Genocide Prosecution Network Secretariat and the National Authorities against Impunity Project. The dedicated sessions brought together CSO representatives from the African continent, MENA, as well as Asia and Latin America regions. The sessions provided the valuable opportunity to exchange with CSOs on specific matters relating to documentation for the purposes of accountability, and to receive feedback from those who use the guidelines in their daily work.

16 The establishment and growth of the Complementarity Trust Fund has been a cornerstone of the Office of the Prosecutor's complementarity activities, allowing for a more agile, responsive and timely approach to supporting national proceedings. This Trust Fund, established in 2024, has garnered significant voluntary contributions enabling the Office of the Prosecutor to implement specialised and long-term complementarity initiatives in key situations. The Trust Fund has enabled the delivery of specialised support to national proceedings, strengthening local capacity to combat impunity, through diverse activities, from technical assistance and forensic expertise in Ukraine, to the provision of training workshops, enhancing the capacity of national authorities in Colombia, in addition to dedicated support to specific national proceedings in response to requests for assistance. Looking ahead, the Office of the Prosecutor is committed to deepening its partnerships with national actors, leveraging the Trust Fund's resources to strengthen local systems of justice and ensure sustained accountability for Rome Statute crimes. The continued success of the Office of the Prosecutor's Policy on Complementarity and Cooperation will depend on the collaboration and engagement of both international and national stakeholders, working in tandem to uphold the rule of law and promote global justice.

17 During the reporting period, the Court, and in particular the Office of the Prosecutor, has actively engaged in responding to a significant number of direct requests for assistance as well as external initiatives aimed at strengthening national capacities to address core international crimes. Specifically, the Office received multiple requests for assistance from States and international organisations under article 93, paragraph 10 of the Rome Statute a significant number of requests for information in support of domestic proceedings. These requests have translated into a range of forms of assistance, including the provision of information, facilitation of interviews, sharing of situational awareness, and offering specialised expertise. This engagement underscores the Office's commitment to fostering positive complementarity by coordinating targeted efforts with relevant actors. Supporting and strengthening national judicial systems ensures that justice is served at both the international and national levels.

18 The Court has continued to exchange best practices and lessons learned, as well as to provide its inputs where requested on the requirements of the Rome Statute, with its interlocutors. On occasions, on a cost-neutral basis, and on invitation, the Court has also allowed staff with specific expertise to participate in training activities, which focus on addressing the Rome Statute crimes at a national or international level.

IV. Broader efforts of the international community

The following information and views in this Part IV were provided by individual civil society organisations and other stakeholders as identified.

19 The **Coalition for the International Criminal Court (CICC)** supported activities promoting understanding and the realization of the principle of complementarity. In 2025, the CICC secretariat supported efforts and engagement by member organizations in several countries around the world. CICC members have been involved in promoting complementarity and activities around complementarity in several countries, such as Ukraine, the Philippines, Venezuela, Sudan, Libya, the Democratic Republic of Congo, and Central African Republic.

20 The **EU Genocide Network** organized two plenary meetings in April and November 2025. The spring meeting, convened under the Polish Presidency of the Council, was devoted to the crime of genocide (origins, constitutive elements and contemporary developments). The autumn meeting, convened under the Danish Presidency of the Council, focused on the use of new technologies in core international crimes investigations and prosecutions. In May, the Polish Presidency of the Council, the European Commission, Eurojust and the Network marked the 10th EU Day against Impunity with an in-person, high-level event dedicated to the protection of the independence and integrity of judicial authorities involved in the prosecution of core international crimes. Recently, the Secretariat published a Network report on cumulative prosecutions of foreign terrorist fighters for core international crimes and terrorism-related offences, building on the pioneering 2020 report on the same topic and presenting a new analysis of selected national jurisprudence. The report provides national practitioners with practical guidance and key legal insights from leading jurisprudence, while also serving as a resource for other legal professionals in the field. Furthermore, Members of the Secretariat and the Network delivered numerous interventions during international conferences, study visits, and diplomatic events throughout the year, including on the topic of cumulative prosecution of both terrorism and core international crimes and the meeting of the Working Party on Cooperation in Criminal Matters (COPEN), as well as civil society-led events advocating for stronger national support to the fight against impunity in a challenging international context.

21 **Human Rights Watch (HRW)** monitored ongoing proceedings related to Guinea's trial of the September 2009 stadium massacre. Appeals remain pending, while in March 2025, the Guinean president pardoned Moussa Dadis Camara, who had been convicted of crimes against humanity as the commander-in-chief who oversaw the 2009 crimes. The Office of the Prosecutor should continue its monitoring under a memorandum of understanding signed in September 2022 with the Guinean authorities. The organization tracked proceedings at the Special Criminal Court in the Central African Republic and Colombia's Special Jurisdiction for Peace, and, in July, submitted an amicus curiae before the Colombian constitutional court addressing the issue of effective punishment under

international law. In June, Human Rights Watch issued a report outlining serious gaps in Libya's judicial system, including for the investigation and prosecution of serious crimes; the report called on the Office of the Prosecutor to reassess the timeframe for completion of its investigative activities in Libya, and to engage with national authorities to address structural deficiencies in the current legal framework and practice. Human Rights Watch also monitored the Office of the Prosecutor's engagement on national justice with authorities in several countries, including Venezuela and the Democratic Republic of Congo.

22 The **International Bar Association (IBA)** ICC & ICL Programme published the report 'No Arrests, No Trials, No Justice: A Strategic Framework for Strengthening the Efforts to Execute International Criminal Court Arrest Warrants' in June 2025, providing recommendations to states and the ASP for the establishment of comprehensive and effective national frameworks to fulfil Rome Statute obligations to cooperate with the Court. This report was followed in November 2025 by 'Pursuing the Arrest and Surrender of Suspects at Large to the International Criminal Court: A Guide for States Parties to the Rome Statute', which expanded on the previous report to make detailed recommendations for implementing legislation to support cooperation for arrests. In March 2025, the IBA ICC & ICL Programme provided input to the development of a policy on environmental crime by the ICC Office of the Prosecutor to promote national and international efforts to investigate and prosecute environmental crimes. In June 2025, the IBA ICC Moot Court Competition brought together more than 500 students from 45 countries, providing an opportunity to deepen their understanding of the International Criminal Court, the Rome Statute, and international criminal law. In July 2025, the IBA ICC & ICL Programme contributed to a conference co-organised by the IBA Human Rights Institute, Wilton Park, and the UK Foreign, Commonwealth and Development Office on 'Action on Accountability: The Pursuit of Criminal Justice for Ukraine' to discuss domestic and international criminal justice measures being pursued to investigate and prosecute war crimes resulting from Russia's illegal invasion of Ukraine. In September 2025, the IBA ICC & ICL Programme co-organised an event with the Embassy of Ukraine and the Netherlands on 'Committing to Justice for Ukraine – The Special Tribunal for the Crime of Aggression in Ukraine' to explore the place of the Special Tribunal among domestic and international accountability mechanisms including the ICC. In September 2025, the IBA Human Rights Institute together with Redress, Amnesty International and Legal Action Worldwide advocated for the amendment of the UK International Criminal Court Act of 2001 to allow national courts to exercise universal jurisdiction over international crimes.

23 In 2025, the **International Federation for Human Rights (FIDH)** and its member organisations intensified their work to ensure the Rome Statute's complementarity principle results in genuine and effective domestic accountability that safeguards victims' rights. FIDH contributed to the Independent Oversight Mechanism's (IOM) Evaluation of Complementarity: A Country Case Study on Guinea, highlighting how the presidential pardon of Moussa Dadis Camara's crimes against humanity conviction was an affront to justice and calling for more OTP engagement and follow-up to help operationalise its Policy on Complementarity and Cooperation. Additionally, FIDH, with its Sudanese member organisation, published a report critically analysing the justice and accountability mechanisms available at the national, regional, and international levels to Sudanese victims and survivors of grave human rights violations. In parallel, FIDH's Litigation Action Group (LAG), together with its member and partner organisations, advanced domestic accountability through the exercise of extra-territorial and universal jurisdiction, accompanying and representing victims as civil parties and actively contributing to ongoing judicial investigations; in particular on Syria (this led to a conviction in the Majdi Nema case - first universal jurisdiction trial in France related to crimes in Syria, and the recognition by the French Supreme Court that state officials accused of international crimes cannot invoke functional immunity), and Palestine (filing civil party complaints in France and Italy against Franco Israeli and Italian Israeli soldiers from a sniper unit operating in Gaza for alleged international crimes). FIDH also contributed to the Universal Jurisdiction Annual Review 2025, published by TRIAL International, and continued its close engagement with the EU Genocide Prosecution Network.

24 In 2025, the **Iranian Center for International Criminal Law (ICICL)** continued its academic and policy-oriented efforts to promote accountability, justice, and the effective

implementation of the principle of complementarity within the national legal system of the Islamic Republic of Iran. ICICL has prioritized initiatives aimed at strengthening national mechanisms for the investigation and prosecution of serious international crimes. In this context, ICICL has advanced two major proposals to enhance accountability and ensure victims' rights to justice and reparation: Establishment of a Special National War Crimes Tribunal, ICICL has advocated for the creation of a dedicated judicial body at the national level with jurisdiction over war crimes committed during the conflict. This proposed tribunal would be based on an independent and exclusive substantive law criminalizing war crimes and related international offenses, and would operate under procedures aligned with internationally accepted fair trial standards. Such an initiative is designed to reinforce the principle of complementarity by ensuring that credible domestic mechanisms are capable of addressing grave breaches of international humanitarian law.; and, Encouraging Ad Hoc Acceptance of ICC Jurisdiction, recognizing the importance of international cooperation and the Rome Statute system, ICICL has encouraged consideration by the Iranian authorities of an ad hoc acceptance of the International Criminal Court's jurisdiction under Article 12(3) of the Rome Statute, specifically in relation to crimes arising from the Iran–Israel conflict. This initiative seeks to demonstrate Iran's willingness to engage constructively with international justice mechanisms and to promote accountability in accordance with international law and to fulfil with the victims' rights. In pursuit of these objectives, ICICL, in cooperation with the University of Tehran, organized a National Conference on “Legal Responsibility Arising from the 12-Day War and Aggression” on 18 October 2025.

25 **Justice Rapid Response (JRR)** continued to support transitional justice and accountability at the national level by providing highly specialized expertise from the JRR Roster to increase the effectiveness and strengthen the capacity of both national authorities investigating and prosecuting international crimes and civil society organisations documenting international crimes and/or litigating cases on behalf of victims before national courts. When working with national authorities JRR has provided support through tailored case-based mentoring support with an emphasis on maintaining local ownership. In 2025, JRR has responded to requests for expertise from States and CSOs in a variety of areas including international crimes' investigations and prosecutions, SGBV, child rights, legal advisory, victim participation, psychosocial support, OSINT, reparations, environmental crimes, military expertise, restorative justice, forensic anthropology and memorialisation. JRR has supported accountability actors, as part of the implementation of the complementarity principle, in relation to several ICC situation countries, including Afghanistan, Bangladesh/Myanmar, the Democratic Republic of the Congo, Ukraine, and Uganda

26 **Legal Action Worldwide (LAW)** works with thousands of survivors of international crimes, including of gender-based crimes, to ensure all individuals are treated equally - with respect, dignity and meaningful access to justice. LAW represents clients in legal proceedings at national, regional and international levels, including survivors in the ICC situations of Darfur and Bangladesh/ Myanmar. Notably, in 2025, LAW submitted a legal brief to the Office of the Prosecutor (OTP) of on behalf of 22 Darfuri women survivors of conflict-related sexual violence (CRSV) and other grave crimes, committed by the Rapid Support Forces (RSF) since 2023. LAW made another submission to the UN Fact-Finding Mission for Sudan on alleged war crimes and crimes against humanity in Gezira State between October and November 2024 which informed its September 2025 report to the UN Human Rights Council. Further, LAW continued to provide legal advice to Rohingya clients who provided evidence in three inquiries, including to the OTP, the International Court of Justice, and a universal jurisdiction proceeding in Argentina. LAW also supported the Independent Investigative Mechanism for Myanmar's investigation into recent Arakan Army atrocities in Rakhine State. In the context of Ukraine, LAW has established a women-led consortium to prepare and file cases using extraterritorial and universal jurisdiction concerning international crimes committed by Russian forces. We have provided legal assistance to hundreds of survivors and victims, in particular three groups with limited access to justice: survivors of CRSV, LGBTIQ+ persons, and Ukrainians abroad. In Syria, LAW continues to advocate for ICC cooperation with government authorities to advance transitional justice efforts, particularly with regards to individual accountability for international crimes and human rights abuses. Lastly, with the

support of Australia, LAW has established and is incubating the Gender Justice Practitioner Hub to foster collaboration, strengthen coordination and facilitate experience-sharing amongst practitioners all over the world to ensure better gender justice outcomes for survivors of core international crimes. Key Hub activities in 2025 have included practitioner-led research on anti-gender movements and, with partners, the organisation of the Gender Justice in International Criminal Law Conference in The Hague in September 2025.

27 In 2025, the **Open Society Justice Initiative (Justice Initiative)** continued its efforts in supporting documentation and domestic and international litigation with respect to crimes in several conflict areas, including Afghanistan, Syria, Ukraine, Sudan and Palestine/Israel. With respect to Syria in particular, the Justice Initiative is a civil party in the French proceedings concerning 2013 chemical weapons attacks that have led to arrest warrants for Bashar al-Assad and other high-level members of the former Syrian regime. Regarding Ukraine, the Justice Initiative has pursued its efforts in documentation and drafting of complaints to be filed under the universal jurisdiction principle. Finally, the Justice Initiative has been actively engaged in litigation efforts on state responsibility for human rights violations that amount to international crimes. Such proceedings can help highlight the nature and seriousness of the violations and produce evidence of the crimes in question. Specifically, the Justice Initiative has been involved in proceedings before the United Nations Human Rights Committee regarding the Russian Federation's responsibility for its role in an attack to a Syrian hospital in May 2019. In addition, for the past four years, the organization has researched and advocated for a case against Afghanistan before the International Court of Justice for violation of the Convention on the Elimination of All Forms of Discrimination Against Women.

28 **Parliamentarians for Global Action (PGA)** advanced complementarity through assisting parliamentarians with the adoption of domestic legislation that incorporates the Rome Statute's core crimes and principles of international criminal law, and by ensuring full cooperation from States Parties with the ICC. In Ukraine, PGA provided technical assistance, including facilitating a visit by a parliamentary delegation to The Hague, to advance the draft law implementing the Rome Statute's complementarity provisions. In Armenia, PGA submitted a legal review to the Ministry of Justice on draft cooperation legislation with the ICC, featuring provisions to strengthen the domestic legal framework and protect victims' rights, based on PGA model legislation. Additionally, PGA maintained engagement with Mexican legislators to advance a constitutional amendment that would enable the subsequent introduction of draft legislation on cooperation with the ICC. PGA also organized a roundtable on gender justice in Afghanistan, hosted by the Dutch Senate, focused on promoting the recognition of gender apartheid as an international crime to ensure accountability. This event gathered Dutch Senators, Afghan parliamentarians in exile, government officials, and civil society groups.

29 **Ukrainian Legal Advisory Group (ULAG)** along with other civil society organisations has been contributing to the Interagency working group on the Implementation of the Rome Statute into Ukrainian Legislation, established and operated by the Office of the Prosecutor General of Ukraine. The Working Group focuses on developing legislative amendments regarding provisions on war crimes, crime of aggression and regulation of proceedings in absentia. ULAG has also updated its Needs Assessment report³ – an exercise aimed to provide an overview of current state of the Ukraine's justice system, international mechanisms and initiatives to ensure justice for conflict-related crimes; identify existing gaps and needs of the system, as well as suggest certain recommendations and solutions to address those.

30 In 2025, **Women's Initiatives for Gender Justice (WIGJ)** translated complementarity from principle into practice by driving concrete results in national systems while shaping the standards those systems rely on. A mentee of WIGJ's Ukraine Mentorship Project secured a conviction in a Ukrainian court for conflict related sexual violence, an outcome tied to our survivor centered mentoring on case strategy and courtroom practice. Women's Initiatives multiplied that impact by convening a practitioner roundtable, co-hosted with the XCEPT research programme and the Government of

³ <https://www.justice-needs-ukraine.report/en>

Canada, on ethically using digital evidence in sexual and gender based crimes investigations, improving investigators' and prosecutors' ability to collect, preserve, and present digital material in line with due process and survivor safety. Women's Initiatives also ensured that the legal compass guiding domestic actors is sharper. The Hague Principles on Sexual Violence, developed under Women's Initiatives' leadership, were cited by a United Nations commission of inquiry on the Occupied Palestinian Territory, advancing recognition of non-physical and reproductive harms. Women's Initiatives seeded the next generation by teaching a CRSV Summer School module that applied the Hague Principles to real cases, moving students from theory to practice. At the same time, Women's Initiatives invested in the civil society infrastructure that makes complementarity work: Women's Initiatives trained partners on AI literacy and secure, trauma sensitive digital workflows and knowledge management to document crimes, support victims, and engage prosecutors and judges. Before the ICC, in the al-Hassan case Women's Initiatives coordinated an amicus network urging gender transformative reparations even where no gender based crime was convicted; the Trial Chamber noted the contribution, offering a model national courts can replicate. Finally, with LAW, the Gender Justice Practitioner Hub and ISS, Women's Initiatives co organized the two day Gender Justice in International Criminal Law Conference in The Hague. The convening drew hundreds of participants in person and online, catalyzing cross border collaboration, deepening solidarity, and accelerating exchange of usable tools, including for CRSV, that expand the ecosystem of practitioners delivering gender sensitive and survivor centred justice in international and national systems.

Annex II

Draft language for inclusion in the omnibus resolution

[Note: elements from the ASP20 omnibus resolution relating to sexual and gender-based crimes have been included here given the Bureau's decision to continue to assign this mandate to the complementarity focal points]

I. Preamble

1. *Reaffirming* its commitment to the Rome Statute and its determination that the most serious crimes of concern to the international community as a whole must not go unpunished, and *underlining* the importance of the willingness and ability of States to genuinely investigate and prosecute such crimes,
2. *Welcoming the efforts and achievements of the Court in bringing those most responsible for the crimes under the Rome Statute to justice and thus to contribute to the prevention of such crimes and noting the jurisprudence of the Court on the issue of complementarity,*
3. *Welcoming also in this regard relevant contributions from the Court relating to gender-based crimes¹, as well as from States Parties and other relevant actors, and convinced* that these initiatives should be an integral part of strategic dialogues and actions to strengthen the Court and national courts in the fight against impunity, while fully respecting their judicial independence,
4. *Recalling* that the application of articles 17, 18 and 19 of the Rome Statute concerning the admissibility of cases before the Court is a judicial matter to be determined by the judges of the Court,
5. *Recalling also* that greater consideration should be given to how the Court will complete its activities in a situation country,

II. Activities of the Court

6. *Recognizes* the importance of achieving accountability for all Rome Statute crimes while recalling that there is no hierarchy between them, and *encourages* the Bureau to engage with interested States Parties and other relevant actors to identify ways to support the Court's efforts in this regard with respect to gender-based crimes that amount to Rome Statute crimes, with a view to reporting thereon to the twenty-fifth session of the Assembly;

III. Complementarity

7. *Recalls* the primary responsibility of States to genuinely investigate and prosecute the most serious crimes of international concern and that, to this end, appropriate measures need to be adopted at the national level, and international cooperation and judicial assistance need to be strengthened, in order to ensure that national legal systems are willing and able genuinely to carry out investigations and prosecutions of such crimes;
8. *Resolves* to continue and strengthen, within the appropriate fora, effective domestic implementation of the Rome Statute, to enhance the capacity of national jurisdictions to prosecute the perpetrators of the most serious crimes of international concern in accordance with internationally recognized fair trial standards, pursuant to the principle of complementarity, and *stresses* that the proper functioning of the principle of complementarity entails that States incorporate the crimes set out in articles 6, 7 and 8 of the Rome Statute as punishable offences under their national laws, to establish jurisdiction for these crimes and to ensure effective enforcement of those laws, and *urges* States to do so;
9. *Welcomes* efforts by the United Nations, international and regional organizations, States and civil society in mainstreaming capacity-building activities aimed at strengthening national jurisdictions with regard to investigating and prosecuting Rome

¹<https://www.icc-cpi.int/sites/default/files/2023-12/2023-policy-gender-en-web.pdf>

Statute crimes *strongly encourages* additional efforts in this regard by other international and regional organizations, States and civil society;

10. *Welcomes* the report of the Bureau on complementarity and the recommendations made on future consultations set out therein²;

11. *Welcomes* the ongoing exchanges with the OTP in the context of the OTP's Policy on Complementarity and Cooperation, with respect to a range of measures and initiatives intended to support the development of dynamic and two-way relationships between the Office, national authorities and other accountability mechanisms, and, crucially, the victims and survivors of atrocities globally, in order to deliver justice close to the affected communities;

12. *Also welcomes* the information provided by the Secretariat of the Assembly of States Parties on the progress in giving effect to its mandate to facilitate the exchange of information between the Court, States Parties and other stakeholders, including international organizations and civil society, aimed at strengthening domestic jurisdictions;

13. *Encourages* States, international and regional organizations and civil society to submit to the Secretariat information on their complementarity-related activities and *further welcomes* the efforts made by the international community and national authorities, including national capacity-building activities, to investigate and prosecute gender-based crimes that may amount to Rome Statute crimes, in particular the continued efforts on the strategic actions to ensure access to justice and to enhance empowerment of victims at national level;

14. *Encourages* the Court to continue its efforts in the field of complementarity, including through exchange of information between the Court and other relevant actors, while recalling the Court's limited role in strengthening national jurisdictions.

²ICC-ASP/24/2...

Annex III

Draft language for inclusion in the annex on mandates of the omnibus resolution

With regard to **complementarity**,

1. *requests* the Bureau to remain seized of this issue and to continue the dialogue with the Court and other stakeholders on complementarity, including on complementarity-related capacity-building activities by the international community to assist national jurisdictions, on possible situation-specific completion strategies of the Court and the role of partnerships with national authorities and other actors in this regard, and also including to assist on issues such as gender-based crimes;
 2. *requests* the Secretariat to continue to develop its efforts in facilitating the exchange of information between the Court, States Parties and other stakeholders, including international organizations and civil society, aimed at strengthening domestic jurisdictions, and to invite States to submit information on their capacity needs for the consideration of States and other actors in a position to provide assistance, and to report on the practical steps taken in this regard to the twenty-fifth session of the Assembly.
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